

PATENT
Docket No.220.00010150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Eric T. Kool) Group Art Unit: 1635
Serial No.: 09/997,931)
Confirmation No.: 5355) Examiner: Sean McGarry
Filed: November 30, 2001)
For: CIRCULAR DNA VECTORS FOR SYNTHESIS OF RNA AND DNA

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RESPONSE TO SPECIES ELECTION REQUIREMENT

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Species Election Requirement mailed October 1, 2003, Applicant elects, with traverse, the species of the claimed invention where the cell is bacterial. The claims readable on the elected species include claims 95, 96, 98, and 100-123.

Applicant respectfully requests reconsideration of the species election in this case and submits that the invention as claimed can be readily evaluated in one search without placing undue burden on the Examiner. Specifically, it is submitted that a search of the claimed method of RNA oligonucleotide synthesis inside a bacterial, plant or mammalian cell can be performed as readily as a search limited to the method performed only inside a bacterial species.

Response to Restriction Requirement

Applicant(s): Eric T. Kool

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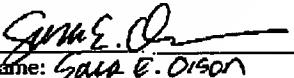
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The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 1st day of December, 2003, at 11:50 am (Central Time).


Name: Eric T. KoolDate
Dec. 1, 2003

Respectfully submitted for
Eric T. Kool

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